

BOARD MEETING REMINDER

The **October 7, 2020**
Board meeting will begin
at **10:00 a.m.**



SAN JOAQUIN RIVER CONSERVANCY

The San Joaquin River Conservancy Governing Board
will hold a regular meeting on
Wednesday, October 7, 2020,
commencing at 10:00 a.m.

Consistent with Governor Newsom's Executive Order N-29-20, the public and Board members will participate in the meeting via Zoom or teleconference. Public comment will be accepted per the agenda.

This Board meeting will be available via Zoom.

Join Zoom Meeting

<https://ca-water-gov.zoom.us/j/99598403973>

You can also join by phone though you will not be able to see the PowerPoint.

Join by Telephone

Dial:

USA (214)765-0479

USA (888) 278-0296 (US Toll Free)

Conference code: 596019



250.20

STATE OF CALIFORNIA
Gavin Newsom, Governor

MEETING AGENDA

5469 E. Olive Avenue
Fresno, California 93727
Telephone (559) 253-7324
Fax (559) 456-3194
www.sjrc.ca.gov

GOVERNING BOARD

Mike Karbassi, *Chairperson*
Councilmember, City of Fresno

Steve Brandau, *Vice-Chairperson*
Supervisor
Fresno County Board of Supervisors

Brett Frazier,
Supervisor
Madera County Board of Supervisors

Santos Garcia
Councilmember, City of Madera

Kacey Auston, *Director*
Fresno Metropolitan Flood Control
District

Carl Janzen, *Director*
Madera Irrigation District

Julie Vance, *Regional Manager*
Department of Fish and Wildlife

Kent Gresham, *Sector Superintendent*
Department of Parks and Recreation

John Donnelly, *Executive Director*
Wildlife Conservation Board

Bryan Cash, *Assistant Secretary*
Natural Resources Agency

Jennifer Lucchesi, *Executive Officer*
State Lands Commission

Matt Almy, *Program Budget Manager*
Department of Finance

Bryn Forhan
Paul Gibson
Vacant
Citizen Representatives

John M. Shelton, *Executive Officer*

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

A. ROLL CALL

B. ADDITIONS TO THE AGENDA

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code §54954.2(b)(2))

C. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

D. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

Ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

E. CONSENT CALENDAR

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

E-1 ACTION ITEM: Approve Minutes of August 12, 2020

F. REGULAR SESSION ITEMS

There are no regular session items.

G. ADMINISTRATIVE AND COMMITTEE REPORTS

Information Items. No action of the Board is recommended.

G-1 Organizations' Reports: If time allows, the following oral reports will be provided for informational purposes only, and may be accompanied by written reports in the Board packet.

G-1a. San Joaquin River Parkway and Conservation Trust

G-1b. RiverTree Volunteers

G-1c. Central California Off Road Cyclist (CCORC)

G-1d. San Joaquin River Access Corporation (SJRAC)

G-1e. San Joaquin River Socials

G-1f. Other Organizations (please contact the Conservancy if you wish to Report on your Organization – info@sjrc.ca.gov)

G-2 Deputy Attorney General Report

G-3 Executive Officer Report

G-4 Board Members' Reports and Comments

H. CLOSED SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

H-1 Government Code Section 54956.8

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Slenders
Madera County (APNs 048-280-009 and 048-280-011)

Negotiating Parties: Andrew and Arlete Slenders

Agency Negotiators: John M. Shelton, San Joaquin River Conservancy
Daniel Vasquez, Wildlife Conservation Board (WCB)

H-2 Government Code Section 54956.8

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Lanes
Fresno County (APNs 576-020-01, 576-020-02, 576-020-03, 576-020-04, 576-020-05, 576-020-08, 576-020-09, 576-020-10, 576-020-11, 576-020-12, 576-020-13, 576-020-14, 576-020-15, 576-020-16, 576-020-17, 576-020-21, 576-020-22, 576-020-23, 576-020-24, 576-020-25, 576-020-26, 576-020-27, 576-020-28, 576-020-29, 576-020-30, 576-020-31, 576-020-32, 576-020-33, 576-020-34, 576-020-35, 576-020-36, 576-020-38, 576-020-39, 576-020-40, 576-

020-41, 576-020-42, 576-020-43, 576-020-44, 576-020-45
and 576-020-46)

Negotiating Parties: Judith Gagnebin

Agency Negotiators: John M. Shelton, San Joaquin River Conservancy
Daniel Vasquez, Wildlife Conservation Board (WCB)

H-3 Government Code Section 54956.8

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Johnson
Fresno County (APN 300-250-26)

Negotiating Parties: Erick Johnson

Agency Negotiators: John M. Shelton, San Joaquin River Conservancy
Daniel Vasquez, Wildlife Conservation Board (WCB)

I. NOTICE OF ADVISORY AND BOARD COMMITTEE MEETINGS, OTHER PUBLIC MEETINGS RELATED TO CONSERVANCY MATTERS

None.

J. NEXT BOARD MEETING DATE

The next Board meeting is scheduled for 10:30 a.m. Wednesday, November 4, 2020, location to be determined.

K. ADJOURN

Board meeting notices, agendas, staff reports, and approved minutes are posted on the Conservancy's website, www.sjrc.ca.gov. For further information or if you need reasonable accommodation due to a disability, please contact the Conservancy at (559) 253-7324.



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Bryn Forhan
Paul Gibson
Vacant
Citizen Representatives

John M. Shelton
Executive Officer

250.20

STATE OF CALIFORNIA
Gavin Newsom, Governor

MINUTES

WEDNESDAY, AUGUST 12, 2020
SAN JOAQUIN RIVER CONSERVANCY

Board Meeting Location:

Consistent with Governor Newsom's Executive Order N-29- 20, the public and Board members participated in a meeting via Zoom and teleconference. Public comment was accepted per the agenda.

MEETING AGENDA

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mr. Karbassi called the meeting to order at 10:05 a.m. and Mr. Frazier led the pledge of allegiance.

A. ROLL CALL

Name	Present	Telecon- ference	Absent	Late
Mr. Karbassi	X			
Mr. Brandau	X			
Mr. Frazier	X			
Mr. Garcia	X			
Ms. Auston	X			
Mr. Janzen	X			
Ms. Vance	X			
Mr. Gresham	X			
Mr. Donnelly	X			
Mr. Cash	X			
Ms. Lucchesi	X			
Mr. Almy	X			
Ms. Forhan	X			
Mr. Gibson	X			

Ms. Gavina confirmed a quorum was present.

Legal Counsel Present: David Pai, Deputy Attorney General
Deborah Halberstadt, Deputy
Attorney General

Staff Present: John Shelton, Executive Officer
Rebecca Raus, Associate
Governmental Program Analyst

Vanessa Gavina, Staff Services Analyst
Heidi West, Program Manager, San Joaquin River Conservancy
Projects, Wildlife Conservation Board (WCB)

B. ADDITIONS TO THE AGENDA

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code §54954.2(b)(2))

There were no additions to the Agenda.

C. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

There were no potential conflicts of interest.

D. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

Ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

There were no public comments and business from the floor.

E. CONSENT CALENDAR

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

E-1 ACTION ITEM: Approve Minutes of June 3, 2020

Mr. Shelton noted there was a correction that was needed in the minutes which was not discovered before it was released. A member of the public realized that Ms. Auston was not at the meeting, although it was indicated on some of the voting panels

Mr. Brandau moved to approve the amended minutes from Consent Calendar; the motion was seconded by Ms. Forhan. The motion passed as follows:

Roll Call Vote:

Name	YES	NO	ABSTAIN
Mr. Karbassi	X		
Mr. Frazier	X		
Mr. Garcia	X		
Ms. Auston	X		
Mr. Janzen	X		
Ms. Vance	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Mr. Cash	X		
Ms. Lucchesi	X		
Ms. Lukenbill	X		
Ms. Forhan	X		
Mr. Gibson	X		

F. REGULAR SESSION ITEMS

F-1 ACTION ITEM: Authorize Bond Funds and a Grant to the San Joaquin River Parkway and Conservation Trust to Acquire the Sumner Peck Ranch Property

Staff Recommendation: It is recommended the Board approve \$3,600,000.00 in Proposition 84 and 40 Bond Funds as a grant to the San Joaquin River Parkway and Conservation Trust, Inc. (Parkway Trust) to acquire the Sumner Peck Ranch property.

In conversations with the Wildlife Conservation Board (WCB), it was discussed that the Conservancy would split this purchase between Prop 84 and Prop 40 Bonds. Subsequently, a grant would be going to the Parkway Trust to acquire the Sumner Peck Ranch property. Typically, grant funding is utilized for the Conservancy to purchase something. In this instance, we are giving the grant funding to the Parkway Trust, and they will purchase and operate Sumner Peck. There are standard clauses in the grant agreement for a purchase, which includes submitting a timeline for a long-term management plan that both the Conservancy and WCB Boards will need to approve. The other thing to keep in mind is that for most of our projects, WCB authorization is still required by their Board. We hope to take this to the November 2020 WCB Board Meeting.

Mr. Shelton gave a property description of the Winery. The Sumner Peck Winery is right off of Friant Road. It has several existing structures, which include: wine tasting room, event staging area, solar panel system, three pull storage units, metal storage building, and a freestanding garage. The main portion of the property is surrounded by approximately 25 acres of grapes, but there is also another five acres of irrigate cropland, including: citrus, blueberries, and blackberries. There is associated land for the roadways between some of the housing and peripheral areas. A significant portion of land is within the historic low watermark and is State Lands Commission's Fee Title land. He indicated that according to the map shown, the red outline is the property, and the dark blue line is

State Lands Fee Title Land. The light blue dotted line signifies the Public Trust Access Easement which is similar to the historic low watermark on that side of the river. This ownership and access easement were taken into consideration for the proposal that the Parkway Trust put together.

In regard to the recommendation, it is recommend that we utilized the bond funds to purchase this property.

Mr. Karbassi opened this item up for public comment.

Mr. Brad Castillo commented this is a great opportunity. He encouraged the Board to move forward with this. This is something that began 20 years ago when he sat as the Chair and is enthusiastic about this going forward.

With no other members of the public wishing to comment on the idea, Mr. Karbassi inquired if there was any discussion from the Board.

Mr. Donnelly stated that he wanted to build upon Mr. Castillo's comments. This was approximately the third or fourth time that the Conservancy Board has considered this, and it was unsuccessful in the past. This was due to the appraised values, and the landowner backing away. He feels that we are in a really good spot this time to carry this forward.

Mr. Janzen mentioned that he recently viewed the back of the property with Conservancy staff, and he believes it will be a great addition. He looks forward to seeing the plans that the Parkway Trust has for the property.

Mr. Cash moved to approve the action item; the motion was seconded by Mr. Janzen. The motion passed as follows:

Roll Call Vote:

Name	YES	NO	ABSTAIN
Mr. Karbassi	X		
Mr. Brandau	X		
Mr. Frazier	X		
Mr. Garcia	X		
Ms. Auston	X		
Mr. Janzen	X		
Ms. Vance	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Mr. Cash	X		
Ms. Lucchesi	X		
Mr. Almy	X		
Ms. Forhan	X		
Mr. Gibson	X		

F-2 ACTION ITEM: Consider and Take Action on: 1. Adopt the Addendum to the Environmental Impact Report for River West Fresno, Eaton Trail Extension Project, and 2. Confirm Substantial Progress Being made for Resolution 17-02.

Staff Recommendation: After providing an opportunity for public comment, it is recommended the Board, the lead agency for the proposed River West Fresno, Eaton Trail Extension Project consider and take action to: A) Adopt the Addendum to the River West Fresno, Eaton Trail Extension Final Environmental Impact Report (Final EIR); and B) Adopt and confirm that substantial progress has been made toward implementing Alternative 5b, the North Palm Access, by accomplishing the benchmarks specified by the Board in the Resolution 17-02.

Mr. Shelton gave a background on the addendum to the Final Environmental Impact Report (EIR). In December of 2017, the Board approved the proposed project with the addition of Alternative 5 B, the North Palm Avenue and Nees Access. Concerning our next item, there was a motion at past meeting regarding the progress that was being made on the benchmarks, and that motion did not carry. The motion to approve the project stood; since there was never a motion to withdraw the original motion. To address some of the concerns raised by the Board, the Conservancy is adding to the approved project an additional alternative, a modified Alternative 1: "Added Parking". Alternative 1 was originally developed as augmented public vehicle access to the project site for residents in the Fresno Metropolitan Area. The Final EIR and approval by the Board still stands. The approved project is the core project with Alternative 5B. This addendum covers the addition of the modified Alternative 1.

The project location is the Conservancy's River West properties, which extends from Highway 41 down to approximately the area on Palm Avenue, and continues across the river. It is a large area, and it has several ponds. Also, there are a couple houses located on private property within the Conservancy's lands (in-holding).

Alternative 1, as it was described in the Final EIR, has an access at West Riverview Drive. There is a gate, and past it, there is a paved road that leads down to the in-holding. The proposed Alternative 1 within the Final EIR, shows a road that would go down to a parking area just on the south side of the pond. There are three main ponds: the H, E, and O ponds. The original parking area is next to the E and H ponds.

The modifications that are being proposed are: 1) The proposed parking lot will be constructed near the access point at West Riverview Drive, instead of the area East of the E Pond and South of the H Pond. This would essentially be moving the parking lot up to the area closer to the gate. It would be constructed right at Riverview Drive. There would still be a gate structure. 2) The proposed parking lot will provide parking for 15 vehicles, including two with American with Disabilities Act (ADA) placard accessibility. There is also the Overlook area. There is an existing road that will probably be modified as work is being done. There will also be a road that goes down to an area for bus parking. 3) The City of Fresno will provide street markings for the parking of 15 vehicles on West River Drive and West Bluff Avenue. The Conservancy has been in discussions with the City of Fresno, and they are willing to delineate parking for at least 15 vehicles there. There is also a fence

along an existing trail that goes just below the houses along the bluff. It is managed by the City of Fresno, and that trail is still part of the area. We would have that connected to our core project multipurpose trail. 4) Bus access, bus turn-around, and bus parking will be constructed by improving the existing gravel road that leads from West Riverview Drive, travels Southwest along the Fresno Metropolitan Flood Control District's storm water basin, then turns West and travels between the E Pond and H Pond to an area between the E Pond and O Pond. There would be an improved road that goes down to the bus parking area which will be on the other side of the E pond, have room for some buses to park and easy bus turnaround. We will also construct our restroom facility there. This allows for a restroom to serve people that are closer to the river than if it was located at the original location. A significant topic mentioned in staff discussion was that the Conservancy already has access on the gravel road by buses belonging to schools and other approved organizations. The idea is to give those organizations that have approval and are working with the Conservancy the ability to get closer to the ponds and the River when loading and unloading passengers. This will be a fairly large area where bus drivers can park and offload students and others and will have controlled access by the installation of a second gate at the bottom of the public parking area. Most of the area around the H Pond has already had restoration projects done, and although most of them are relatively young plants at this point, they will grow and make a significant change ecologically and be helpful for the air quality. Also, the San Joaquin River Parkway and Conservation Trust is currently starting a project for restoration very close to where the Alternative 1 parking lot was going to go. The new facilities will be landscaped to ensure that they fit with the existing viewshed. There will be lighting for security, but it won't be highly visible from the surrounding neighborhoods. This area will be formally open from dusk to dawn.

There are concerns from the public about the Sycamore trees that will be impacted by constructing new recreational facilities. The Conservancy is already working to try to make this area much more appealing and ecologically sustainable with riparian and upland plants. In addition to the restoration already described, another important existing project is invasive species removal. All of these existing and in-progress restoration projects include Sycamore trees as a significant portion of their plantings. As part of the River West project, there will be a budget in place for restoration and landscaping. With this landscaping, the modified Alternative 1 will fit in very well with the viewshed of that area.

He described some aspects that changed in the Final EIR, and some that remained the same. 1) Neither the parking lot nor the bus parking area will accommodate horse trailers. 2) Both at the bus parking area and public parking lot, LED lights sets with rechargeable batteries and solar panel will be mounted on light poles providing sufficient illumination for security and maintenance. 3) A two-vault ADA-accessible restroom, fire hydrant, and pet station will be located in the bus parking area. 4) Access to the parking lot would be provided by controlled vehicle entrance, with an additional control device at the paved road from West Riverview Drive that leads to the bus parking area.

Alternative 5B, remains the same as described in the Final EIR, as approved by the Board.

The Final EIR for the River West Fresno, Eaton Trail Extension Project, as amended by this Addendum, including the Environmental Review Update Checklist, may be used to

fulfill the CEQA review requirements of the River West Fresno, Eaton Extension Project. (State Clearinghouse No. 2014061017). Because the changes to the project meet the conditions for the application of CEQA Guidelines 15164, preparation of a subsequent or supplemental EIR is not required.

Mr. Shelton discussed progress towards implementing Alternative 5B, the North Palm Access, by accomplishing the benchmarks specified by the Board the Resolution 17-02. He gave background on the issue sharing that in November and December of 2017, the Board certified the River West Fresno, Eaton Trail Extension Final Environment Impact Report (Resolution 17-01) and the approved the Alternative 5B (Resolution 17-02).

Within Resolution 17-02, there were several benchmarks that needed to be made by the San Joaquin River Access Corporation (SJRA). 1) Acquisition of Spano property by the SJRA: Escrow on eleven acre "Spano property" (Property) closed on December 24, 2018, resulting in fee title ownership by the SJRA. The SJRA has also secured two other nearby parcels to facilitate future Parkway facilities should the Conservancy or its partners pursue such plans. A map illustrated the parcels that have the 5b parking area, and two other parcels shown at the bottom of the Gravel Haul Road off of Palm/Nees Avenue. He noted that those two parcels are not part of the 5B, but that the SJRA wanted to make sure that the public is aware they purchased those with the intent to be part of the parkway system. 2) Approval of the Post-Closure Land Use Plan: The Post-Closure Land Use Plan (dated December 13, 2018) for the Property was approved by the County of Fresno Environmental Health Division as indicated in an email dated December 17, 2018. The Central Valley Regional Water Quality Control Board provided an email on December 24, 2018 indicating their concurrence that the plan is sufficient. The plan approves development of the North Palm Access and parking facility as approved by the Board for the Alternative 5B. Both agencies must review and approve the construction plans after they are developed. 3) Approval of exceptions/ variances: On December 5, 2018, the Fresno City Planning Commission approved exceptions/variances to the Bluff Protection Overlay District and tree removal ordinances. 4) Address Conservancy concerns with proposed easement between Mr. Spano and SJRA: The draft amended easement attached to the SJRA's option agreement with Mr. Spano was reviewed by the Board at the September 5, 2018 meeting. The Board enumerated at least four specific concerns. At the November 2018 Board meeting, the SJRA reported that an amendment to the easement that addressed the Board's primary concerns was accepted by Mr. Spano. The easement and amendment, which have been executed by the parties, ensure the approved Project can be developed and operated on the Property consistent with Conservancy plans and policies, and allows future improvements envisioned in the San Joaquin River Parkway Master Plan. 5) Secure public access easement for the Property: Board action on September 5, 2018, directed staff to discontinue investigations and negotiations aimed at the State acquiring the parcel, and directed staff to negotiate and secure a permanent public access easement on the SJRA Property. An initial draft was provided to the WCB staff, the SJRA and Conservancy staff on November 2, 2018. A revised draft was provided to the SJRA by the WCB and Conservancy attorneys and staff on December 17. The proposed easement: secures rights to develop, operate, and maintain improvements on the Property required for the North Palm Access; secures rights to open it for managed public use consistent with the North Palm Access as described in

the Final EIR and with Parkway purposes; and protects the State parties from risks and liabilities. 6) Since December 2018, the SJRAC and the Conservancy's counsel have renegotiated a permanent public access agreement, and a draft easement agreement is currently being finalized for review approval by the WCB and working its way through the State real property transaction review process. Though such a process may be lengthier than usual due to COVID-19, the Conservancy's counsel and staff, working with the WCB, do not foresee any substantial issues preventing the easement agreement from being finalized.

The draft easement is included as part of the Board packet. As mentioned, the overall recommendation is after providing an opportunity for public comment, it is recommended that the Board, lead agency for the proposed River West Fresno, Eaton Trail Extension Project, consider and take action to: 1) By motion and vote to adopt the addendum to the River West Fresno, Eaton Trail Extension Project, and final EIR and 2) by motion and vote to adopt and confirm that substantial progress has been made toward implementing Alternative 5B, the North Palm Access, and direct staff to continue tasks and activities to implement the North Palm Access for the River West Fresno, Eaton Trail Extension Project. Mr. Shelton mentioned that before we go into the Board's questions and staff responses, he thought it would be beneficial for Mr. Pai to address some of the issues of the Final EIR.

Mr. Pai stated that he wanted to make clear the authority and context of which both the EIR addendum and having found that substantial progress has been made, with respect to Resolution 17-02, came from. Under CEQA, as long as there is a Finding by the lead agency that there is no substantial increase in environmentally significant impacts, a Subsequent or Supplemental EIR need not be prepared, even if the scope or magnitude changes as long as there is a Finding that there is no significant impact from these changes. If that is the Finding, then the Addendum can be adopted. The board packet has sufficient information to show that there is substantial evidence indicating no significant impact. He also noted that an Addendum does not need to be circulated for public review. However, out of an abundance of caution and in the interest of transparency, the Conservancy did so here. What is tied to this Final EIR Addendum is the component of 5B moving forward concurrently. These two projects are joined, so in terms of the vote, it is a single vote to adopt the EIR Addendum and to move forward with 5B.

Mr. Karbassi inquired if there were any members of the Board that had questions.

Upon inquiry, Ms. Vance stated that as she understands it, what is being proposed is to continue the previous Final EIR approval of the core project and to approve a modified Alternative 1 and Alternative 5B simultaneously.

Mr. Shelton responded that it can be described that way, and clarified that Alternative 5B is already approved, but we do need to affirm that substantial progress has been made on the benchmarks of Resolution 17-02. He agreed that the full project will be the core project; Alternative 5B parking area with the access through Spano Park; and Alternative 1, as modified, with the parking near Riverview Drive, and the bus parking and turn around down between the E Pond and the O Pond.

Mr. Garcia noted that his main concern is transparency to the public. Through the whole process of COVID-19 that has affected the country, meetings have not been held, as intended, to discuss these issues. He feels that the canceled meeting have not allowed the public to chime in, nor has the Board been able to fully understand the scope of the entire project, so that they can talk to their constituents and families about what exactly is being proposed. He wants a full report on the entirety of the project and what the Board is being asked to vote on. His concern is that if the Board makes a motion to pass this today the public has not been fully informed of the plans. He mentioned that a couple of processes here that have not been fully vetted or completed. The new parking has not been finalized. There is no specific plan in place. He claims that the plans for fencing near the restrooms and parking area was never discussed upon. Mr. Garcia would like to table this until the next Board meeting before voting on this item.

Mr. Karbassi questioned if Mr. Garcia was making a motion or would he like more discussion on the matter followed by a motion.

Mr. Garcia responded that he would like everyone participating to have a chance to speak on the matter, including those on the Board and in the public. Following this, he would like to recommend a motion.

Mr. Karbassi agreed and stated public comment is important because this is a significant issue. He also reiterated, as he did in the beginning, that transparency is vital. Everyone will be heard. He then asked if any other Board Members wish to comment.

Mr. Frazier stated this project has been vetted, and the Board has discussed this issue at length multiple times in public. This is not something that is new, and these are issues that have come up and discussed at the last meeting. There has been sufficient time to work this through and get it to a point that allows more access for all constituents. If the Board postpones, it's only going to continue to delay access for residents and the public. He believes this is a project in which none are in 100% design completion. There will be multiple times throughout that process that this is going to come back, so that people can see what is happening. That is the process of any of these large projects, and the Board needs to start moving forward residents can finally have access.

Ms. Vance stated that it is her understanding that while we are proposing that both Alternative 5B and the modified Alternative 1 proceed, one would not hold up the other. She asked if there is an issue with one of them, will it preclude access at the other from proceeding.

Mr. Pai answered the intent is to move forward with these projects concurrently, the Core Project, Modified Alternative 1 and Alternative 5B. With respect to any delays and if there are any encountered, then the core project would move forward first. However, the idea is to get Alternative 1 and 5B to open concurrently. Although, these discussions should be talked about in closed session because of the pending settlement.

Mr. Shelton also reminded everyone that the core project includes the multipurpose trail that connects to all three access areas, so the core project is really the lynch pin to get the public down there. He mentioned that it will also be very nice to be able to have public parking in all three locations. For now, public access is not official until this process moves forward. The core project does that, so we all have a vested interest in getting that core project up and going.

Mr. Janzen said this is two years later into this issue, and it is two years of not being able to get the public access. He agreed that we do not know the exact specifications of the parking, as designing is still in progress; however, he feels that it isn't the issue at hand. The issue is there will be parking at three points. The public will be able to get there and safely. Busses, horse trailers, and bicycles will all have access. Hence, there is no reason to delay this, and the Board needs to move forward.

Mr. Gibson stated he listened very carefully to Mr. Garcia's thoughts and concerns. There are many ways to see this. He's worked on the River West project as a private citizen for over ten years, and as Board Member for over six years. He believes this is a historic moment where the Board can move forward with three important public access points to over 500 acres. Although COVID-19 has created problems, it has also created an urgency for public access and to open airspace unlike we have ever known. It is the responsibility of the Board to open this land up to the public, and our responsibility to work hand in hand with private corporations like the San Joaquin River Access Corporation in helping us to take care of one of the most problematic 11 acres that exist on the river way. Now is the time, and he fully supports what Staff has presented.

Mr. Cash echoed previous comment made in support of the project. There has been a lot of hard work to get the projects to where they are today. This is the first step and real progress, and hopefully moving forward into construction. With that, he wholeheartedly supports the measure.

Mr. Karbassi asked if there were any other Board Members who wished to comment or had questions for staff. With none brought forward, he introduced Congressman Jim Costa to speak.

Congressman Costa stated that he has been listening to the discussion, and he appreciates the due diligence and hard work that Board Members and Staff have been doing for the San Joaquin River Conservancy. He has more than a passing interest in the establishment of the San Joaquin River Parkway. He mentioned that he goes back with Ms. Coke Hallowell, Chairman to the San Joaquin River Parkway and Conservation Trust (Parkway Trust), and others in the mid 80's. He was part of an effort to convene meetings with all the interested parties: Madera County, Fresno County, City of Fresno, City of Madera, homeowners and property owners on the River Bottom to create a natural 22 linear Parkway which would be a benefit to our valley for generations. A host of different models were assessed over that period of time to figure out what might work best. Clearly with two counties in which the River was the borderline, and two distinctly different governments (the City of Fresno and City of Madera), trying to create the responsibility into either local government would be challenging. The concept of a district park was

examined, as observed with other areas that had their own unique challenges. The effort of extending the State Park from Millerton all the way to Highway 99 was explored. That presented another new set of challenges. Then, they looked at Santa Monica Mountain Conservancy, Lake Tahoe Conservancy, and the Coastal Conservancy, and thought this hybrid model might work. There has been much progress made since Mr. Costa had first been involved with the project over 30 years ago; although not as quickly as some have hoped. However, he is proud of the legislation he carried that created the San Joaquin River Conservancy in 1992. He believes the proposal that staff has put together on an issue that has always been challenging, access to the river bottom whether it be specific access or the concept of access to the 22 miles, will always have its challenges. The Conservancy has been working on this proposal for almost two years; and various interests have been heard, community leaders, local elected officials, landowners, conservationists, and state agency representatives. He recalled Mr. Gavin Newsom coming down for a meeting two years ago on this proposed access issue. During the planning process, it has become apparent that the Conservancy's role is very important in trying to mediate differences of local jurisdictions and the state, as it can be very challenging. Congressman Costa hopes the Board will take action today on the River West Fresno, Eaton Trail Extension Project. This vote will allow for multiple public access points to the San Joaquin River, which is critical to the access and development of the Parkway, and especially, the 500 acres that have been in a bit of a limbo. He believes that this is a reasonable solution for consideration, and suggests as staff has recommended, that the Board also adopt the addendum and the proposal to continue with this process. During the pandemic as people are sheltering in place, they are getting restless and looking for places to have access to get out, and still be socially distant and healthy. Those of us familiar with the San Joaquin River acknowledge the wonderful opportunity to be able to hike on various access points throughout the property or canoeing down the river. It is amazing destination, and an area rich with environmental heritage. The development in Madera and trying to get the two cities to work together, has never been easy. He believes this is more mandatory than ever, as this has been two years in discussion. This is an accommodation and a compromise. He says he has been involved on four packages in the last five months that have allocated trillions of dollars to deal with the health and safety aspects of all Americans, and at the same time, deal with the social and economic impacts. We have had to do it in ways in which Congress has never operated before. Congressman Costa asked, "Are we providing public input? Yes. Are we providing public input in the way that we might normally do? No, we are dealing with a crisis, a pandemic." The Conservancy, in its own way, is trained to deal with the impacts and the ripple effect of this pandemic; but this proposal and this issue of access has been before the Conservancy Board long before COVID-19 came into place. He urged that look further than the specificity of the proposal, but its totality of access to the entire 500 acres. He stated that the Conservancy needs to take advantage of some of the state bond funds that it's received and the other financing that us the opportunity to create the kind of Parkway we envision. Congressman Costa commended the Conservancy for our efforts and stands ready to provide and support.

Mr. Karbassi wished Congressman Costa best of luck in Washington and thanked him for fighting for us. He then opened it up for public comment.

Ms. Sharon Weaver, the Executive Director of the San Joaquin River Parkway and Conservation Trust, stated that this meeting has been disconcerting because the public has no ability to see who else is involved in the meeting, and she is unable to see all of the board members that are present. She believes that this is a concerning implementation of the public meeting law, and there is no transparency here. She claimed it was quite alarming to hear that the Board Members themselves do not fully understand what they are approving today. She was told that the projects are linked together, meaning Alternative 1 and 5B; however, there is nothing that was presented to the public prior to this that makes that link. She stated that Mr. Pai spoke about facts that are not available to the public. Approval of Alternative 5B would prevent any future progress at this site. She alleged that the Conservancy Board and Staff are condemning the public to have weak, inadequate public access because nobody is ever going to build that expensive project. The documents in the presentation have not changed since there were questions about them in January 2019. That was a year and a half ago, and she doesn't feel that significant progress has been made. She stated the public access easement puts the onus of dealing with landfill issues on a shell entity that has no asset other than the landfill property. Therefore, this will leave all of the liability in the hands of the State of California, which is nonsensical. She urged the Board to do the right thing by enabling this discussion and giving proper notice of everything that is being approved today.

Ms. Kristine Walter, Secretary of the San Joaquin River Access Corporation, stated she represented the interests of the many hundreds of homeowners in their neighborhood, many of which who they have spoken with about both sides of the issue. She recognized that this has been a very long journey. There has been a lot of work that has been accomplished over the last two years. As responsible citizens, we have to recognize that politics and planning should not result in a win/lose situation. These documents are a testimony to the ability of people who are willing to work together to find and resolve problems and find real solutions that are going to benefit the entire region. These documents have now resulted in both more access and better access, and she applauded the efforts of the ad hoc committee and the staff of the Conservancy for addressing issues that had raised previous concerns in their neighborhood. She also thanked the Conservancy for being creative and thoughtful about the interests of the community of Pinedale, as it was mentioned specifically in documents. She concluded by saying that their organization, comprised of their neighbors, are fully supportive of these document, and they hope that there will not be any further delay in adopting these agreement so that they can open up this region to the public. She stated the San Joaquin River Access Corporation wants to be a full partner with the Conservancy in bringing this vision to the public.

Mr. Tom Bohigian commented that the meeting process has been surreal. In the past three years, the public has experienced the grinding and laborious process that should have led to environmentally positive access for people and restoration of our River and the land around it. Today, while there are good aspects, the addition of Alternative 1 of this proposal remains flawed. While notable progress has been made, it still falls short. Approving any settlement that allows the destruction of a city park and the natural river bluff and mature native Sycamore trees that are habitat for birds and other wildlife is inappropriate. The River is forever, and generations of people will know whether what was voted was right,

or settled upon. The pandemic should have taught everyone that time is not our friend. He implored for everyone to remember why we are here. We are here because of the San Joaquin River, so that this generation and future generations of children and families might see an egret, a bald eagle, a heard of deer, coyote, peregrine falcon, or maybe just plant a tree; something they might never see where they live in Fresno or Madera. He stated that this is what matters, and as much as he wants to see action today, it needs to be positive action not something that is an antithesis to what the Conservancy was created for.

Mr. Brad Castillo recalled that a big concern in 2018 was that if the Board moved forward with accepting Alternative 5B, then Alternative 1 would be pushed to the side. From what he has heard, it seems that this will happen. Also, he asked if there is going to be a meeting in closed session that might be addressing some of the concerns that the public should be aware of, such as a settlement in which they are settling for 5B over Alternative 1. He thanked the Board for the good work over the last two years.

Ms. Sarah Parkes remarked that when she reviewed the board packet for this item, she felt like a year was lost because she couldn't identify any major progress updates in the Resolution 17-02 presented. It is not clear to her from the way the modified Alternative 1 is presented, if the original mitigation measures for the original Alternative 1 still stands, specifically the installation of the traffic light on Audubon Drive. She would like to know if there's a written agreement with the City for the parking delineation on Riverview Drive. She mentioned it is important that it is documented in writing. Also, she questioned how the new Alternative 1 with the modified version will be ADA accessible when the accessible bathroom is nearly a mile away. She asked why there was a reduction in the parking when there is so much space in this area, and also how the various access points are going to be implemented, what is the timeline, and how they are connected. She indicated that she has worked on this project for many years, and she feels like she does not understand what is happening. She asked that Alternative 1 be brought back, so that the Board could decide on what the best project is and could choose moving forward with Alternative 5B, Alternative 1 or both together because it does not seem like that is what's happening here. For those reasons, she encouraged to continue examining this item because there is a lot of clarification that is needed. Ms. Parkes does not want to see a major delay but believes the project that the Board moves forward with is the very best project implemented for our community.

Ms. Sheila Hakimipour stated that she appreciates the urgency recognized by the Board members to proceed with the project and opening up the River Parkway. This is crucial, considering the necessity to have access to the open space cause by the pandemic. She is a big supporter of the core project presented by staff. She mentioned she is a resident of this neighborhood because she heard of the project happening back in 2014, and it helped guide her family's decision to want to live in this neighborhood. She supports access to the park and feels that the core project presented today will provide the much needed access for the residents of Fresno, while ensuring their health and safety. She emphasized the people who live in the neighborhood are good citizens with kids and young families, and they are dealing with increased traffic and reduced safety every day. Their health and safety should be important to the Board and the supporters of the project.

She mentioned she heard earlier from public comment the difficulty of using the landfill in Alternative 5B, but she would like to see an environmental review on those lands that is deemed impossible to be rehabilitated for the project. She urged that the project move forward, and access opens up for everyone to use it.

Mr. David Rodriguez, a resident from Pinedale, introduced himself. He is a Pinedale historian and Vice-chair of the Pinedale Community Association. He stated Alternative 5B is definitely necessary. It has been an integral part of the community of Pinedale since the 1920's. Every day, he sees young children riding their bikes right in front of his house with their fishing poles going down the Alternative 5B access. He shared that another child who was going down the Alternative 5B access point twisted his ankle and messed up his bike trying to go down that road. It is a big concern for the community of Pinedale. The Alternative 5B access point has also been a part of the heritage of Pinedale. His grandfather used to go down there and fish for salmon during the Great Depression, so there is historical significance for many residents. There are up to seven generations still using the trail. He noted that even if this does not get approved, people will still use that access, but it becomes more dangerous with the likelihood of people getting seriously injured. He urged the Board to take it as a serious concern because this is about the public's health and safety. He also noted that the community of Pinedale is economically challenged, and that sometimes that is the only source of protein that some families are able to obtain for a while, so he implored everyone to work together and move forward with this.

Mr. Corey Brown, an attorney with Resources Legacy Fund, stated that his organization has had a long interest in opening public access to the River West Fresno property. They have contributed \$4,000,000 towards the acquisition of this property and have supported opening up Alternative 1 for many years. He urged the Board to hold off on voting for a month until the public has a chance to fully review the documents and the settlement agreement because the Board has a tremendous impact on the type of access the public will have to these properties. He was concerned by the changes shown in the presentation to the public access at Riverview Drive, which of course is an existing road. The goal was that those suffering from disabilities or seniors that are unable to walk that mile down to the river, would be able to drive down and have parking at the River Bottom. It looks like the changes that outlined for Alternative 1 keep the parking up on the top of the bluff and does not allow cars to drive to the bottom. Also, the buses ability to get down to the bottom is limited to Conservancy approval with limited parking down at the bottom. This is not the type of equitable public access the public stated they wanted in the former public hearings. Another area of concern is there isn't another access point at Gravel Haul Road that provides closer access to the Pinedale community. The easement for Gravel Haul Road limits access along the gravel road to publicly owned land and to be no greater than the access at Riverview Drive. If you preclude cars going down to Riverview Drive, you are also precluding vehicular access at Gravel Haul Road, which have always been one of the most important access routes. There are also concerns about 5B, in terms of the environmental damage that would happen. We are trying to provide transparency and a one month delay to allow the public to review the settlement agreement in these documents. It is a reasonable request for this to be brought forward, once again, at the December hearing. He commended the Board and staff for all the hard work that has gone

into trying to increase access. He believes having another month will help resolve this because he does not feel the current proposals are ready to be voted on today.

Mr. David Grubbs inquired if Alternative 1 gets adopted, will it require progress on Alternative 5B. He believes this happening to soon without additional or adequate public review. He understands that there is an agreement that will not be disclosed to the public which is already enforced, and he stated he would like to know more about that.

Ms. Theresa Simsiman, California Stewardship Director for American Whitewater, gave some background on the organization stating it was a nonprofit organization with a mission to conserve and protect American Whitewater resources and enhance opportunities to enjoy them safely. She supports the River West project moving forward. As a public stakeholder, American Whitewater recognizes that the River West project has been vetted over the last two years. There will be plenty of opportunities to stay engaged and address issues as we move forward. She encouraged a vote to move the River West Project forward to fruition and give the public access.

Mr. John Kinsey, Council of San Joaquin River Access Corporation, thanked staff and his clients for working together to come to a resolution that provides more access at more locations than what was originally contemplated several years ago. It has been a long road to get here, but today the issue is more about access. It's not about the merits and demerits of Alternative 5B that was discussed several years ago. Rather, today, is about the modified Alternative 1. He's heard from some speakers that this group wants to delay Alternative 5B and Alternative 1, and that they will never happen. However, he says that his clients have spent significant money and countless time to make Alternative 5B a reality, and he guarantees that they will continue to move mountains to help fulfill the vision of the Conservancy, as articulated in the addendum. On behalf of his clients, he expressed full and enthusiastic support of the two proposals before everyone today; the approval of the addendum and the findings and Resolution 17-02. He recommended to build and construct this great resource for the entire community without delay.

Ms. Myra Kobo commented that as a member of the public who cares about this issue, she has followed it closely. Her first concern is the settlement between the Conservancy and the San Joaquin River Access Corporation has not been fully disclosed to the public. Her second concern is that the Alternative 1 and 5B decision has not been available to the public, and she claimed that she was unaware of it until she read the notes for this meeting. The two alternatives should just be alternatives and not be voted together. Her final concern is the ADA accessibility. She stated that it is ridiculous to have the parking so far from the restroom and the River itself and believes it should be a lot closer to accommodate those who need it.

Ms. Clare Statham shared that she has followed this whole process for many years now, and it seems there is significant support for the proposal to move forward with this today. If that's what happens, she hopes our public representatives (who are supposed to be negotiating on behalf of the public in the closed session) does not link the development of Alternative 1 to the development of Alternative 5B. She claimed in the prior presentation the engineers reported that there were significant concerns about building a parking lot,

and that it would need to be repaved and regraded every five years at a significant cost. Her concern is if they are linked, and it becomes impossible to support the expense inherent in Alternative 5B, then Alternative 1 will stop. She asked the Board not to link these two projects together because there will be so many more delays in the future.

Ms. Anna Wattenberg agreed with Ms. Statham and Mr. Brown's public comments. She recalled when the engineers were giving cost estimates of building Alternative 5B down that steep bluff and removing all the trees in the parking area, the amount that they came up with was exorbitant. They compared it, and it seemed to indicate that it would not cost much more or about the same as using Alternative 1. The compromise is great in theory, but believes that Alternative 5B cannot be implemented, and then that would preclude Alternative 1 of ever having a chance. There is also no access on the Gravel Haul Road at the end of Nees Avenue. She hopes the Board reconsiders the agreement. She is a big Parkway supporter and wants to see access increase, but she feels that this is going to prevent access rather than provide access.

Ms. Jessica Vaughn stated that she was impressed with the staff presentation, and it seems that this project is going to bring the community much more access. As a community member who lives near the Milburn Pond, she looks forward to a day when a project like this can be brought to the community. She mentioned that these access points are going to be used regardless if they are approved or not, so to improve and allow parking is only a benefit. All the details about more parking near the bathrooms, can get negotiated as the project goes on. Overall, she thinks it is a wonderful plan and is looking forward to enjoying it once it is complete.

Mr. Karbassi asked if there were any other members of the public wishing to comment. With none, he closed public comment, and noted that he wanted to address a few issues before he brought it back to the Board. He mentioned there were some very disconcerting comments made to him regarding transparency. He wanted to take this moment to clarify things for the public. He asked Mr. Shelton if the supporting documents and agenda were posted online as normal.

Mr. Shelton confirmed saying that we have 72 hours before the start of the Board meeting to do so, but our standard operation is we try to get them posted a week ahead.

Mr. Karbassi stated that staff went above and beyond the legal requirement. He understands that we are not in a normal boardroom due to the pandemic, but staff does a roll call at the beginning of every meeting to ensure that our members are here. All Board members have to account for their vote, and that is how we ensure throughout the meeting that they are participating. As chair, he has never had more people participate in a meeting than today, in terms of public comment. Consequently, he takes it very seriously when there are comments that the meeting is not being done appropriately, and if there is chance for public comment, we always have to offer that opportunity. He believes that there has been a lot more public participation because of Zoom, and there are more opportunities for people that physically cannot go to city hall or a board room. There may be certain decisions that we make as board members and elected representatives that we

can discuss openly as part of the democratic process, and there are also things that must we cannot disclose based on the law that must be discussed in closed session.

Mr. Pai verified this and added there are fundamental confusions as to whether or not there is a settlement. He clarified there is no settlement, and we cannot settle. This is due to certain terms of the proposed settlement agreement that will be deliberated in the closed session that require a public hearing, which is what we are doing right now, so it is not a foregone conclusion that the Conservancy has already settled on the case. By no means, is that true. What is mandated under the Brown Act is there are aspects or actions that have to be taken that require a public hearing. He reiterated that this is what is happening currently before we go into closed session and deliberate on a settlement.

Mr. Karbassi asked if Mr. Pai could provide clarification regarding the February 2019 Board Meeting.

Mr. Pai responded that this precedes him, but it is his understanding that the vote was essentially a vote on whether or not reasonable progress had been made, with respect to Resolution 17-02 moving forward. It was not a vote to rescind Resolution 17-02 itself, and that vote turned out to be a seven to seven tie, which means the Board does not take action. Subsequent to that or related to that, was a direction by the Conservancy Board to staff to explore Alternative 1 as an option.

Mr. Karbassi asked if we wanted to have a motion and discussion to move forward or break for lunch.

Mr. Frazier stated he would like to motion to move forward with the item.

Mr. Garcia stated that at the beginning of this meeting, he asked to have all public and Board Members input on this item, and then he was going to move to postpone the item, prior to Mr. Frazier's motion.

Mr. Karbassi corrected that the Board has not made their motion. The Board is currently in discussion, and Mr. Garcia is free to make another motion during discussion.

Mr. Garcia said that he would, once again, like to postpone this issue until the next Board meeting.

Mr. Karbassi asked if there is a second to that motion by Councilmember Garcia. With none being made, the motion died for a lack of a second. He asked if there was any other discussion on the item, and with no further discussion, it was brought back to the main motion for a roll call vote.

Mr. Frazier moved to approve the action item; the motion was seconded by Ms Auston. The motion passed as follows:

Roll Call Vote:

Name	YES	NO	ABSTAIN
Mr. Karbassi	X		
Mr. Brandau	X		
Mr. Frazier	X		
Mr. Garcia		X	
Ms. Auston	X		
Mr. Janzen	X		
Ms. Vance	X		
Mr. Gresham	X		
Mr. Donnelly	X		
Mr. Cash	X		
Ms. Lucchesi	X		
Mr. Almy	X		
Ms. Forhan	X		
Mr. Gibson	X		

Ms. Gavina, on an unrelated matter, interjected before the start of the Administrative and Committee Reports to make a necessary correction. She pointed out that Ms. Auston was inadvertently left off of the previous motion for Roll Call for action items E-1 Consent Calendar and F-1 Authorize Bond Funds and a Grant to the San Joaquin River Parkway and Conservation Trust to Acquire the Sumner Peck Ranch Property. She stated she would like to take her official vote for both action items before we move on, if suffices the Board. Ms. Auston abstained from E-1 because she was not present at the previous meeting, and voted yes on F-1.

G. ADMINISTRATIVE AND COMMITTEE REPORTS

Information Items. No action of the Board is recommended.

G-1 Organizations' Reports: If time allows, the following oral reports will be provided for informational purposes only and may be accompanied by written reports in the Board packet.

G-1a. San Joaquin River Parkway and Conservation Trust

Mr. Jake Salimbene presented a slideshow on Parkway Trust updates. He showed before and after photos of restoration they did at the Jenco Farms parcel that was purchased by the Conservancy and is adjacent to other Jensen River Ranch parcels. They have also been working on the Sycamore Island Floodplain Enhancement. This includes the constructed floodplains involved with the Gravel Pit 46e Berm Replacement Project. He showed what they looked like when they were planting them. They are seeing excellent natural recruitment throughout both sides of the River. He mentioned park operations have really taken off since reopening after closure due to COVID-19. They have been able to get an outstanding number of visitors. They have done this while maintaining a safe environment for our local residents to get outside in an open-air environment, where they can spread out throughout the nearly 700 acres of Sycamore Island, and Van Buren Unit. Despite the two month closure,

they are still on pace to meet their revenue projections for this year. Both their canoe rentals have taken off as well as the amount of people visiting the park for bicycling, horse riding, birdwatching, and all other forms of recreation along the river. They were also able to run River Camps in a reduced capacity at a different site. This year, River Camp was held at the River Center and at the Trust's Owl Hollow property, and Young Sports Camp was also held at the River. They were able to run that camp for four weeks and had over 120 participants. The most common thing that they heard from the parents was that they were so glad they were still able to put the camp on and get their kids out on the River.

Mr. Frazier mentioned that this past weekend, the River Center opened for charity event in which a group of photographers were doing photo shoots and donating all the money to child trafficking. It was a beautiful setting. He took his kids out there and enjoyed the event. He thanked the Parkway Trust for allowing the wonderful cause to take place there. The photographers were able to fundraise over \$6,000 for that organization because of that partnership.

G-1b. River Tree Volunteers.

Mr. Richard Sloan, Founder of River Tree Volunteers, gave an update. The impact of COVID-19 has led to the reduced group sizes and more engagement of RiverTree Volunteer staff. They have engaged 269 volunteers in mostly small group cleanups and projects which include: equestrian events, milkweed planting on the San Joaquin River Conservancy properties, animal rescues from fish line, and land and water-based river cleanups. Launching from the beach at Palm and Nees, or the Spano Pond over at the San Joaquin River Conservancy's property are great places to launch canoes and kayaks in order to conduct river cleanups, teach new paddlers how to paddle, how to handle small rapids going upstream using backwater techniques, and how to read the currents. Volunteers have done a number of maintenance type projects on the Conservancy properties like fixing fences or different things that occur that they have been able to aid in. River trips and cleanups are by canoe and kayak, and they have been doing them once or twice a week for months now. During this period, they have removed 54 tires from the River Bottom and located approximately 100 more for removal. They hope to do it during the Great Sierra River Cleanup in September. Volunteers returned 12 shopping carts to the stores they came from, which they pulled out from the River. Over 4,400 pounds of small trash were removed from within Fresno City Limits on the River, and approximately 632 pounds of trash from Fresno County/Madera County limits. 2020 lbs. of tires and 5 tons of building debris was removed from the Liddell property. Mr. Sloan mentioned The River Bottom at Palm and Nees has always been a big problem for trash. The San Joaquin River Access Corporation put a trash bin at the beach area at the bottom of the Gravel Haul Road at Palm and Nees, and this has been a great success. Together, they have been removing pickup trucks and trail load of trash weekly. He also noted that there is a minimal amount of trash left on the beach after the weekends. More and more people are finding that they can pick up trash along the way and drop it off in the roll-off bins at the base of the bluff. People will bring

trash bags from home, and then go out and fill them up on their walks, as they start to go up the bluff.

G-1c. Central California Off Road Cyclist (CCORC)

Mr. Gary Bowser, gave praise to the Parkway Trust for their operation and maintenance of Sycamore Island. He has begun to lead groups of riders through Sycamore Island, and many are impressed with how well it is maintained, the overall cleanliness at Sycamore Island, and the maintenance of the dirt trails that are out there. CCORC has been able to start building some single-track bicycling trails on the Van Buren parcel. They hope to continue the use of hiking and biking in that area. He commended the Board and the Parkway Trust for their work and efforts in maintaining those areas.

G-1d. San Joaquin River Access Corporation (SJRAC)

Mr. Rick Ransom, Director of the SJRAC, shared some of the groups and organizations they have been working with have been able to utilize some of the current access. They just had a meeting with the Sheriff's Office Search and Rescue team. He mentioned that he is a member of that organization, and by providing access to the River Bottom, they were able to take the Search and Rescue team down there to do a mock search and rescue drill. They brought drill dummies and used them to do a search in the type of terrain in river areas that they actually see in real searches. His feedback from the group was that it was one of the best exercises the Sherriff's Department had. They also had the Fire Department do some training there. Mr. Ransom noted a big concern in that area is fire starting down at the bottom and running up the bluffs, so having training in that type of environment was important for the Fire Department. SJRAC has also been working with Mr. Richard Sloan, from RiverTree Volunteers. Together, they provided a dumpster at the end of the yellow gate road to allow people to pick up trash and get it in a receptacle, so it does not mount up. They are filling that dumpster about once a week, so it has been a good addition. He is excited to see the opportunities moving forward and looking forward to more access on the river.

G-2 Deputy Attorney General Report

Ms. Deborah Halberstadt, indicated that she has no updates from the Attorney General's Office.

G-3 Executive Officer Report

Mr. Shelton mentioned he had nothing to report at this time.

G-4 Board Members' Reports and Comments

None.

H. CLOSED SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

Ms. Sharon Weaver mentioned over the course of the last year and a half, she has repeatedly asked this body whether there will be a public report about the settlement agreement before it was signed. She indicated that every time she has asked that question, the response she received was yes, a settlement agreement would have to be presented to the public before it was approved. What we have heard today is that that staff can present certain parts of it, but there are aspects of it that the public will not ever see until it is approved. Perhaps then, it becomes public information. She is very apprehensive about that and claims this is inconsistent with the statements that have made as a body over the course of the year and a half that this litigation has been underway. She remarked that she is very concerned about the way the Board is choosing to share information, and there were lots of things that were not clear in this board packet. She stated that she is quite disappointed that the only Board Member that even commented on the issue was Mr. Garcia and does not understand why these issues are not being discussed openly.

Ms. Sarah Parkes mentioned that she was looking at the minutes from the last meeting, and the report out of closed session said that the Board voted on a conditional settlement agreement with conditions contingent upon items to be discussed in an open session at a subsequent meeting. She mentioned that she is not clear if that is what took place when Item F-2 was discussed, or if those conditions were not going to be discussed. She mentioned that they have worked really hard on this project, and it feels as if they are being left out of some of the process.

Mr. Karbassi reminded the public that whenever a Board, through the Open Meeting law, takes an action in closed session, that action has to be disclosed to the public, and we will follow that requirement. He then called for any more public comments. With none made, the Board moved to closed session.

H-1 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Subdivision (a) of Government Code Section 54956.9.

San Joaquin River Access Corporation v. San Joaquin River Conservancy and specified Board members, Superior Court of California, County of Fresno Case #19CECG01138

Mr. Garcia left at 1:21 pm.

REPORT OUT OF CLOSED SESSION

Mr. Pai reported the Conservancy Board voted on a motion to approve the settlement and release agreement, with respect to litigation involving the San Joaquin River Access Corporation, #19CECG01138 by a vote of 13 to 1. The Conservancy Board has voted to approve the settlement agreement, and also, to make the settlement agreement publicly available as soon as it is executed by all the parties.

I. NOTICE OF ADVISORY AND BOARD COMMITTEE MEETINGS, OTHER PUBLIC MEETINGS RELATED TO CONSERVANCY MATTERS

None.

J. NEXT BOARD MEETING DATE

The next Board meeting is scheduled for 10:00 a.m. Wednesday, October 7, 2020, location to be determined.

K. ADJOURN

Board meeting notices, agendas, staff reports, and approved minutes are posted on the Conservancy's website, www.sjrc.ca.gov. For further information or if you need reasonable accommodation due to a disability, please contact the Conservancy at (559) 253-7324.

Mr. Karbassi adjourned the meeting at 1:45 p.m.

Respectfully Submitted,

DocuSigned by:

John M. Shelton

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John M. Shelton

Executive Officer- San Joaquin River Conservancy



SAN JOAQUIN RIVER CONSERVANCY

Agenda Item

Item: G-3

October 7, 2020

TO: San Joaquin River Conservancy Governing Board

FROM: John M. Shelton, Executive Officer

SUBJECT: INFORMANTION ITEM: Executive Officer's Report

RECOMMENDATION:

This report is provided for informational purposes. No Board action is recommended.

SUMMARY:

Update on Current Activities of the Conservancy, with a more detailed update on a highlighted Project.

In order to keep the Board apprised of current activities, plus remind you of all the progress that has been made in the past, I will be reporting on current projects and other activities. The San Joaquin River Parkway (Parkway) is depicted in Figure 1: SJR Parkway Existing features, from the SJRC Master Plan Update 2018. If you have not read through the Conservancy's Master Plan Update, it is available at <http://sjrc.ca.gov/Parkway-Master-Plan-Update/>, and is a great reference. The Conservancy has acquired over 2,600 acres of land along the San Joaquin River (Table 1: SJRC Properties, updated from the SJRC Master Plan Update 2018). Table 2 lists the other public lands within the San Joaquin River Parkway. Each report will highlight a project complex with additional background information so that activities can be put into the context of the multipurpose aspects of not only the San Joaquin River Parkway, but with individual components. This month, I will be highlighting the Conservancy's.

COVID 19 and the Conservancy: The **Conservancy's office** is closed to the public until further notice due to COVID-19 related directives and orders from state and local agencies to prevent the spread of the virus. However, to provide the public with a continuity of service while protecting both the public and our employees, the Conservancy remains open for business by phone, email, and regular mail. Because our office has transitioned to maximize telework for the duration of this emergency event, there may be some delay as we work to respond to all requests in a timely manner. Our regular contact information remains valid, although we have been experiencing problems with our call-forwarding. We are considering the purchase of cell phones for all staff in the near future, but at this time, we mainly use our personal cell phones to stay connected. The Conservancy has just finished the transition from the Fresno Metropolitan Flood Control District's server for our email to a state system hosted by the Department of Water Resources. With this transition, we all have new laptops to facilitate our work away from the office. We have all set up work-focused Gmail accounts to make our electronic correspondence more direct, though we should be able to phase out of that need in the future. The public can still reach us at our general email: info@sjrc.ca.gov and office telephone (559) 253-7324.

Focused Project Update:

1. River West Eaton Trail Extension

Background: Although we have an approved Final Environmental Impact Report (FEIR) and as of our August 2020 Board Meeting an FEIR Addendum that describes adding a modified Alternative 1 to the previously approved project, the Conservancy and our partners still have multiple steps to take before the project is complete. In order to establish the conversation, this report will discuss our current state of the project, and then examine our next steps.

The original “Approved Project” is the combination of the original Proposed Project (or Core Project) with the Multipurpose Trail and the Perrin Avenue Parking lot and associated facilities (Figure 2), in addition to Alternative 5B, North Palm Avenue Access (Figure 3). In the FEIR, these facilities were described and illustration conceptually. The City of Fresno did complete a more detailed design of the North Palm Avenue Access but described this as 60% design, not as a final design. They did not do the same for the Core Project, neither the multipurpose trail nor the Perrin Avenue Parking lot. In August 2020, the Board approved the addition of Alternative 1, referred to in the FEIR as “Added Parking” (Figure 4). The Addendum approved a modified version of this Alternative (Figure 5) that has the public parking next to the entrance at West Riverview Drive instead of the area East of the E Pond and South of the H Pond. Also included is bus access, turn-around, and a parking facility between the E Pond and O Pond. The FEIR also contained conceptual descriptions and a figure for the parking lot at Perrin Avenue (Figure 6). Other than the North Palm Access facilities, none of the other facilities have completed design work beyond the conceptual level.

Next Steps:

The immediate next step is to secure a partner, such as the City of Fresno, to apply for a grant to undertake the Final Design and Permitting. The Conservancy has been in discussions to make this happen. This step has taken more time than expected, but we believe that it is important to make sure that our partner going forward is fully aware of what is needed to complete the future phase of this project. In addition to applying for the Final Design and Permitting grant, we will need to begin our discussions of operations and maintenance of the completed facilities. This discussion will need to be successfully completed before the Conservancy, and the Wildlife Conservation Board can approve the actual construction of the facilities. A rough estimate of a 1 ½ years will be needed for Final Design and Permitting. This timeline can vary based on the complexities of the permitting process and the availability of staff to either complete the work or manage consultants. It is likely that if the City is our partner on this, they will contract out much of the actual design and permitting work, which requires additional time to secure these contracts. Once this phase is complete, we will have an estimate of the cost of construction of all the facilities, how to break them into tasks for project management, and the required time for construction, including any potential restrictions on construction windows due to environmental permits. At this point, the Conservancy estimates that Construction will take a little over a year. This estimate is likely to be too short, but for the

level of information we have at this point and assuming work can be carried out at all three parking areas and on the multipurpose trail concurrently, a year of construction may be possible. We should also understand that a shorter construction window would likely be more expensive than a more relaxed rate. Table 3 has a rough estimate of the timing needed, with a finish date of February 2024.

Other Current Projects Updates:

2. Van Buren – Valley Children’s Hospital – Hwy 41 Bike/Pedestrian Bridge

The City of Fresno worked with a local engineering company to explore the idea of a grant application to the Conservancy for an Alternatives Analysis to construct a bicycle/pedestrian bridge across the River near Highway 41. We believe that this bridge, when constructed, could be a significant bike commuting route between North Fresno and this rapidly developing area of Madera County. With the potential to move and have the City of Fresno as our partner for the River West Project, the Conservancy will discuss with the County of Madera and the City who should take the lead on this process.

3. Ball Ranch & Ledger Island – Willow Unit, Tesoro Viejo and Cemex

Tesoro Viejo’s CEQA work is beginning again after a pause due to the COVID-19 restrictions and uncertainties. The Tesoro Viejo Conservancy Board met in September to discuss their next steps. I participated in that virtual meeting to answer questions regarding the Conservancy’s intentions for Ledger Island and Ball Ranch, and to discuss possible funding for the replacement of the bridge between our two properties.

River Partners has begun work on Ball Ranch and California Department of Fish and Wildlife’s Willow unit as part of their grant to develop a restoration plan for the area. Their biologist conducted some initial surveys, and they are preparing to undertake some soil studies.

In December of 2019, CEMEX filed the Rockfield Modification Project application with Fresno County proposing to modify and continue its operations with a new operational plan (CUP Application No. 3666 - Plant Site and CUP Application No. 3667 for the Quarry Site). CEMEX and their consultants said that they would keep the Conservancy informed as this process continues. We have had several discussions, which included exploring ideas on how to work with CEMEX if their application is approved. In addition, several individuals and organizational representatives have reached out to discuss this project.

The Sierra Resource Conservation District (SRCD) (see <https://sierrarcld.com/>) is moving forward with their work to transfer pine-beetle killed logs to Ball Ranch as part of the Eastern Fresno County Fuels Reduction project. They were temporarily displaced from the headquarters due to the Creek Fire, but have since returned. As a result of the Creek Fire, and the expected recovery effort that is going to be needed, the SRCD applied to Cal-OES for their Hazard Mitigation Grant and was successful. We expect that this additional work will add to the necessity of using forest derived biomass in innovative ways, so our potential work with the SRCD could be important for not only our area but as a model for other foothill public lands.

4. Camp Pashayan

The Conservancy and WCB are working with Fresno Building Healthy Communities to explore how we can re-operate Camp Pashayan. Now that the High Speed Rail construction just downstream of the property is nearing completion, we need to find a way to open this area up for recreation use.

5. River Vista Bridge Remnants, Parking, and Gravel Path

The River Vista project is ready to move into implementation. Prior discussions have mostly focused on Madera County applying for a grant to undertake final design, permitting, and construction. With the two counties working together to build a new vehicular bridge at Friant (Road 206 or North Fork Road), we are now in discussions with the County of Fresno, who is the lead on this replacement, to see if they can add to the new bridge construction project, the removal of the old bridge remnants. The Conservancy has submitted a support letter to assist their efforts to add onto the new bridge project a bicycle/pedestrian passage. It is our understanding that under state guidelines that including bicycle crossings of Rivers into existing or replacement infrastructure is a priority (see Fresno COG's SB743 Local Assistance Program and Regional Guidelines: <https://www.fresnocog.org/sb743-regional-guidelines-development/>). In discussions with Board member Brandau, he believes that both the bridge remnant removal and bicycle crossing should be part of the new bridgework, if practical.

6. Vinnard/Circle V – Potential Native American Cultural and Environmental Resources Center

Laura Gromis, the Executive Director of U.S. Green Build Council, Central California (<https://www.usgbccc.org/>) USGBC-CC, is interested in the ideas we have developed with others for this location and is considering working on a stakeholder-driven process to develop and design a fully certified "Leadership in Energy & Environmental Design" (LEED) center on this property as a demonstration project for the region.

7. Lost Lake Park Master Plan and Facilities Improvements

The County of Fresno is still working on getting a grant to the Conservancy to finish the Lost Lake Master Plan update and to upgrade a couple of their playground areas for Americans with Disabilities Act (ADA) compliance. Although these projects are important for the County, due to staffing turnover and other priorities, they have provided any grant applications yet. The latest issues pertain to the requirements of the California Environmental Quality Act (CEQA) and how they will need to address this. The County's staff working on this is not well versed in CEQA, but has reached out to other County staff with this experience to help in the application. Wildlife Conservation Board staff, along with Conservancy staff, have been assisting as needed.

DocuSigned by:

John M. Shelton

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John M. Shelton
Executive Officer

San Joaquin River Parkway Master Plan Update

Figure 5-1 EXISTING FEATURES

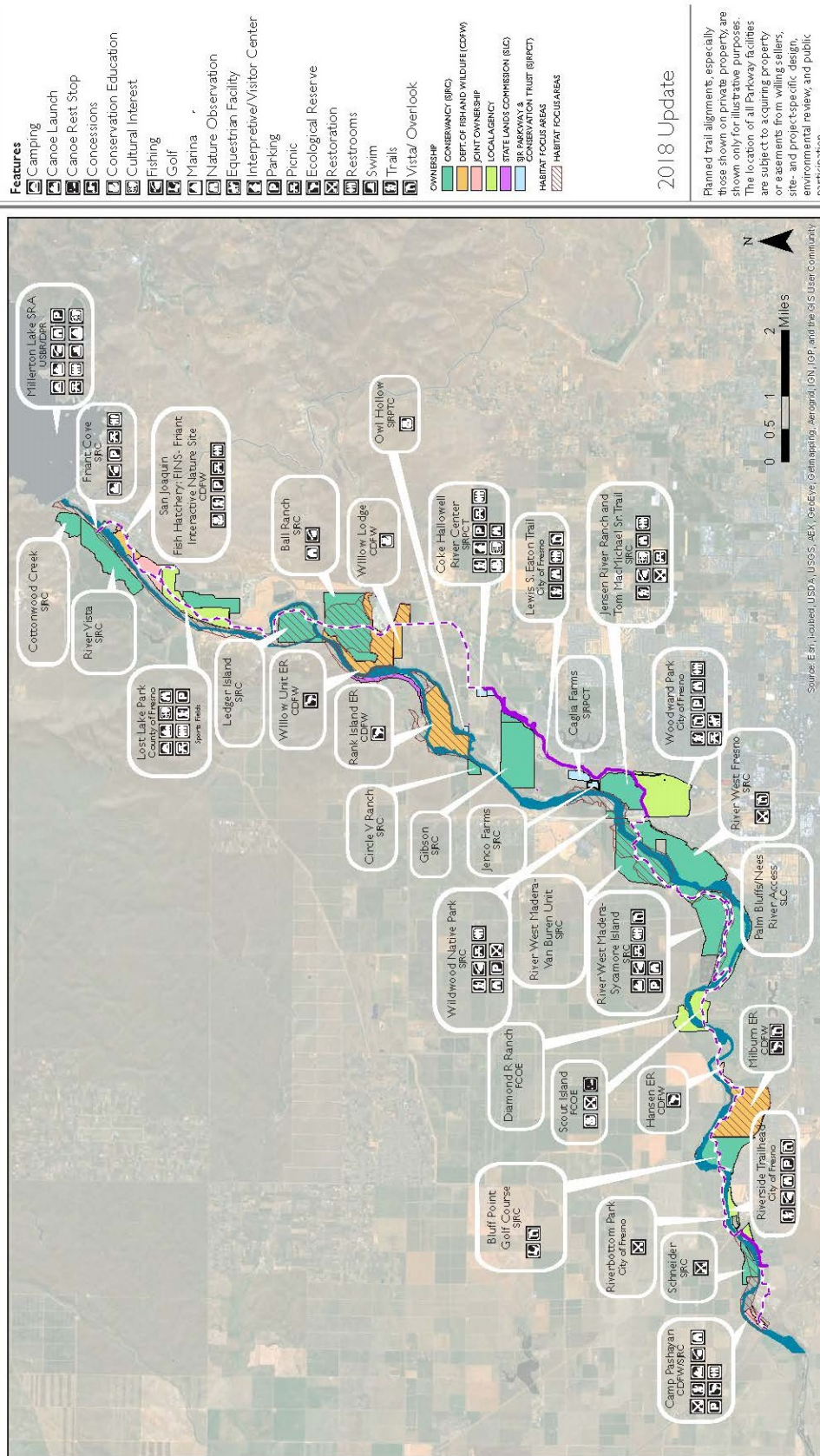


Figure 1: SJR Parkway Existing features, from the SJRC Master Plan Update 2018

Table 1: SJRC Properties, updated from the SJRC Master Plan Update 2018

San Joaquin River Conservancy Properties

Land Acquisitions	Year	Fresno (Acres)	Madera (Acres)
Wildwood Native Park	1996	0.00	22.00
Jensen River Ranch	1997	156.10	0.00
Beck	1998	105.92	0.00
Friant Cove	1998	2.64	0.00
Ball Ranch	2000	358.40	0.00
Schneider	2000	0.00	47.10
Wagner (aka Cottonwood Creek)	2001	0.00	64.32
Ledger Island	2001	0.00	161.17
River Vista	2001	0.00	176.66
Van Buren (aka Proctor, Broadwell, Cobb, part of River West Madera)	2001	0.00	261.54
Willow Lodge (Finch, Glaspey)*	2002	40.00	0.00
River West Fresno (Spano)	2003	290.84	50.00
Sycamore Island	2005	0.00	347.00
Transfer of lands between DFG and SJRC including River Vista, Van Buren, Ledger Is, and Moen	2006-08		974.54
Liddell/Bluff Pointe Golfing Center	2005	134.00	0.00
Gibson	2008	320.96	0.00
SJ Fish Hatchery (Friant Station)*	2008	2.00	0.00
SJ Fish Hatchery (Hovannisian)*	2011	0.17	0.00
Camp Pashayan**	2012	11.43	0.00
Jenco Farms	2015	23.16	0.00
Circle V Ranch (Vinnard)	2016	0.00	20.82
Cobb/Madera Co	2020	0.00	11.52
Total 2,607.75		1445.62	1162.13
<p>*These lands were acquired by the Conservancy to be managed under the jurisdiction of CDFW.</p> <p>**Camp Pashayan was originally acquired by the River Parkway Trust in 1995 and later sold to the Conservancy.</p>			

Table 2: San Joaquin River Parkway – Public Lands other than SJRC Properties

OTHER PARKWAY PUBLIC LANDS

California Department Fish and Wildlife (CDFW)	Year	Fee		Cons. Easement
		Fresno (Acres)	Madera (Acres)	
Hansen Unit San Joaquin River Ecological Reserve (ER)		34.00	0.00	
Lost Lake Park (see also County of Fresno)		76.00	0.00	
Rank Island Unit SJR ER		270.00	0.00	
SJ Fish Hatchery		35.35		
Milburn Unit SJR ER	1989	286.00	0.00	
Willow Unit SJR ER (1)	1990	149.67	0.00	
Willow Unit SJR ER (2)	1992	88.23	0.00	
Camp Pashayan Unit SJR ER**	1995/ 2012	20.00		
Total	959.25	959.25	0.00	0.00

**Camp Pashayan was originally acquired by the River Parkway Trust in 1995 and later sold to the Conservancy.

San Joaquin River Parkway & Conservation Trust	Year	Fee		Cons. Easement
		Fresno (Acres)	Madera (Acres)	
Coke Hallowell River Center		20.00	0.00	
Spano Remnants	2003	6.00	0.00	
Owl Hollow	2005	5.00	0.00	
Caglia Farms	2006	28.20	0.00	
Total	59.2	59.20	0.00	0.00

American Farmland Trust	Year	Fee		Cons. Easement
		Fresno (Acres)	Madera (Acres)	
Hansen Conservation Easements		0.00	0.00	95
Total	95	0.00	0.00	95.00

Fresno County	Year	Fee		Cons. Easement
		Fresno (Acres)	Madera (Acres)	
Lost Lake Park (see also CDFW)		191.66	0.00	
Friant Road Scenic Lands (Eaton Trail)		141.00	0.00	

Total	332.66		332.66	0.00	0.00
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Fresno County Office of Education	Year	Fee		Cons. Easement
		Fresno (Acres)	Madera (Acres)	
Scout Island	2000	84.66	0.00	
Diamond R Ranch	2000	0.00	68.00	
Total	152.66	84.66	68.00	0.00

City of Fresno	Year	Fee		Cons. Easement
		Fresno (Acres)	Madera (Acres)	
Riverbottom Park	1999	35.00	0.00	
Total	35.	35.00	0.00	0.00

US Bureau of Reclamation	Year	Fee		Cons. Easement
		Fresno (Acres)	Madera (Acres)	
Friant Dam Access Areas		137.50	137.50	
Total	275.	137.50	137.50	0.00

Partner Total		Fee		Cons. Easement (Acres)
		Fresno (Acres)	Madera (Acres)	
Total	854.52	649.02	205.50	95.00

	Subtot	Fee		Cons. Easement (Acres)
		Fresno (Acres)	Madera (Acres)	
San Joaquin River Conservancy Properties	2607.75	1445.62	1162.13	
Other Public Lands	854.52	649.02	205.50	95.00
Total Public Lands in SJR Parkway	3462.27	2094.64	1367.63	95.00





Figure 3: Conceptual Rendering of Alternative 5B – North Palm Avenue Access, from the Final Environmental Impact Report



Figure 4: Conceptual Rendering of Alternative 1 – Added Parking (River View Access), from the Final Environmental Impact Report – this part of the fully approved project has now been modified.



Figure 5: Modified Alternative 1 - Additional Public and Bus Parking (not to scale, final design will defer in detail).



Figure 6: Conceptual Rendering of Perrin Avenue Parking lot as an example of the parking lot detail; from the Final Environmental Impact Report

Table 3: Rough Estimate of Time for Various Steps Regarding River West and the Eaton Trail Extension.

		Duration (weeks)	Start	End
			08/17/20	
Application Development		12	08/17/20	11/12/20
Final Design and Permitting Application Approval		21	11/12/20	04/08/21
Final Design and Permitting		72	04/15/21	09/01/22
Construction Grant Application Approval		17	06/09/22	10/06/22
Construction		68	10/20/22	02/08/24